



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

WK
F.#2009R00195

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 9, 2012

BY ECF & INTEROFFICE MAIL

The Honorable Dora L. Irizarry
United States District Judge
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Vincent Dragonetti,
Criminal Docket No. 11 CR 3 (DLI)

Dear Judge Irizarry:

The government respectfully writes in response to defendant Vincent Dragonetti's July 9, 2012 one-page letter ("Def. Let.") requesting an adjournment of his sentencing from July 27, 2012 to the week of September 10, 2012.

The Def. Let. is accurate in stating that the government does not object to the defendant's request for an adjournment. The Def. Let. is incorrect, however, in providing that the entry of a guilty plea from the one defendant who has not yet pleaded guilty would make defendant Dragonetti "eligible for an additional one-level Guidelines reduction for a global disposition . . . pursuant to his plea agreement."¹ (Emphasis added.) Defendant Dragonetti's plea agreement, and the other defendants' plea agreements in this case, do not obligate the government to move for a one-level global reduction if the one remaining defendant pleads guilty at this stage. The applicable "global plea" cut-off date under the plea agreements, as set forth in n.1, below, expired some time ago. The government has represented to the defendants, however, that it will nonetheless

¹ Defendant Joseph Lombardi remains the only defendant in this case who has not pleaded guilty; n.1 of defendant Dragonetti's plea agreement provides that "the defendant may be eligible for a . . . reduction for a global disposition" if all defendants plead guilty on or before March 30, 2012.

move for such a reduction in the event that the one remaining defendant pleads guilty before any other defendant in this case is sentenced. The government's decision to make such a motion is based on the circumstances of this case, and does not arise from the terms of defendant Dragonetti's plea agreement, or that of any other defendant, in this case.

Respectfully submitted,

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Senior Probation Officer Cheryl M. Fiorillo
(by email)